Opening Statement of Chairman Greg Walden
Subcommittee on Oversight and Investigations
Hearing on "Concerns Over Federal Select Agent Program Oversight of Dangerous Pathogens"
November 2, 2017

(As prepared for delivery)

Thank you, Mr. Vice Chairman, for holding this hearing on the very important issue of improving federal oversight of high-containment laboratories working with dangerous pathogens such as anthrax.

Our federal government needs to conduct critical research on diagnostic tests or vaccines to protect us from diseases while safeguarding national security against bioterrorism. To ensure the safety of lab scientists and the public, while also building confidence and support for this research, oversight of federal select agents is a matter we need to get right.

In recent years, this subcommittee held hearings on several safety lapses at federal labs that potentially exposed federal personnel and other individuals to hazardous biological agents. While the executive branch has taken several steps to improve lab safety since these lapses were detected, the GAO's report on the Federal Select Agents Program oversight of dangerous pathogens shows that there are fundamental problems that have not been addressed by reactive, short-term responses.

After nearly 15 years of existence, the program does not meet key elements of effective oversight, and the co-managers of the program – the Centers for Disease Control and the USDA's Animal and Plant Health Inspection Service – lack a joint strategic document. The GAO's past work has found that such strategic planning is an essential tool to help agencies align their workforces with their missions and develop long-term strategies for recruiting, training, and retaining staff.

The GAO's report also provides potential solutions for improving select agent oversight. The GAO reviewed alternative effective oversight approaches from the selected foreign countries. For example, in Great Britain, oversight of labs that work with pathogens is under an independent government agency. Both Great Britain and Canada focus their oversight on biological safety, as opposed to the emphasis on biosecurity in the Federal Select Agent Program. Other regulatory

sectors such as the regulation of nuclear reactors also offer potential solutions for improvement.

Finally, the GAO findings also suggest that it may be time for Congress to re-examine the structure and the operations of the Federal Select Agent Program. Currently, the program is run by two different subcabinet agencies from two different departments. Both agencies have high-containment labs registered with the Select Agent Program, an organizational conflict of interest because the overseers are not structurally distinct and separate from all of the labs they oversee. To address these concerns, the subcommittee needs to consider whether a legislative restructuring of the program is in order.

This program was also created in the immediate aftermath of the 9-11 attacks and anthrax mailings, with an understandable emphasis on biosecurity and close scrutiny of those who possess and transfer select agents, and how the agents are secured.

However, nearly 15 years later, incidents at the high-containment labs have shown that the primary risk lies with maintaining safety in the handling of these dangerous pathogens. At a time of increasing risks of emerging infectious diseases and the advent of gene-editing, does an overhaul of the Federal Select Agent Program require legislation?

I thank the witnesses for their participation, and look forward to working in a bipartisan way to improve the Federal Select Agent Program.